

# Senate File 2293 - Introduced

SENATE FILE \_\_\_\_\_  
BY BEALL, APPEL, BLACK,  
BOLKCOM, DVORSKY, and  
QUIRMBACH

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing for the regulation of persons involved in  
2 keeping pets and other animals, and making penalties  
3 applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 6378XS 82  
6 da/nh/14

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1 1 Section 1. Section 162.2, Code 2007, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 8A. "Department" means the department of  
1 4 agriculture and land stewardship.  
1 5 Sec. 2. Section 162.2, subsection 12, unnumbered paragraph  
1 6 1, Code 2007, is amended to read as follows:  
1 7 "Pet shop" means an establishment where a dog, cat, rabbit,  
1 8 rodent, nonhuman primate, fish other than live bait, bird, or  
1 9 other vertebrate animal is bought, sold, exchanged, or offered  
1 10 for sale. "Pet shop" includes an establishment located in  
1 11 this state in which such animals are bought, sold, or  
1 12 exchanged, or offered for sale to the general public by  
1 13 accessing the internet. However, a pet shop does not include  
1 14 an establishment if one of the following applies:  
1 15 Sec. 3. Section 162.7, Code 2007, is amended to read as  
1 16 follows:  
1 17 162.7 DEALER LICENSE == LIMITATIONS.  
1 18 1. A person shall not operate as a dealer unless the  
1 19 person has obtained a license issued by the secretary or  
1 20 unless the person has obtained a certificate of registration  
1 21 issued by the secretary if the kennel is federally licensed.  
1 22 Application for the license or the certificate shall be made  
1 23 in the manner provided by the secretary. The license and  
1 24 certificate expire one year from date of issue unless revoked.  
1 25 The license fee is one hundred dollars per year and the  
1 26 certification fee is twenty dollars per year. The license may  
1 27 be renewed upon application and payment of the fee in the  
1 28 manner provided by the secretary if the licensee has conformed  
1 29 to all statutory and regulatory requirements. The certificate  
1 30 may be renewed upon application and payment of the fee in the  
1 31 manner provided by the secretary.  
1 32 2. A dealer shall not breed, buy for resale, sell, or  
1 33 exchange more than twenty litters of domestic dogs or cats in  
1 34 any twelve-month period, or breed, buy for resale, sell, or  
1 35 exchange more than one hundred domestic dogs or cats in any  
2 1 twelve-month period. This subsection does not apply to  
2 2 nonprofit animal welfare activities performed by an animal  
2 3 shelter or pound.  
2 4 Sec. 4. Section 162.8, Code 2007, is amended to read as  
2 5 follows:  
2 6 162.8 COMMERCIAL BREEDER'S LICENSE == LIMITATIONS.  
2 7 1. A person shall not operate as a commercial breeder  
2 8 unless the person has obtained a license issued by the  
2 9 secretary or unless the person has obtained a certificate of  
2 10 registration issued by the secretary if the kennel is  
2 11 federally licensed. Application for the license or the  
2 12 certificate shall be made in the manner provided by the  
2 13 secretary. The annual license or the certification period  
2 14 expires one year from date of issue. The license fee is forty  
2 15 dollars per year and the certificate fee is twenty dollars per  
2 16 year. The license may be renewed upon application and payment  
2 17 of the prescribed fee in the manner provided by the secretary

2 18 if the licensee has conformed to all statutory and regulatory  
2 19 requirements. The certificate may be renewed upon application  
2 20 and payment of the prescribed fee in the manner provided by  
2 21 the secretary.

2 22 2. A commercial breeder shall not breed, sell, exchange,  
2 23 or lease more than twenty litters of domestic dogs or cats in  
2 24 any twelve-month period, or breed, sell, exchange, or lease  
2 25 more than one hundred domestic dogs or cats in any  
2 26 twelve-month period. This subsection shall not apply to  
2 27 nonprofit animal welfare activities performed by an animal  
2 28 shelter or pound.

2 29 Sec. 5. Section 162.11, subsection 2, Code 2007, is  
2 30 amended to read as follows:

2 31 2. The certificate of registration may be denied or  
2 32 revoked if the person no longer possesses a current and valid  
2 33 federal license. Other than obtaining the certificate of  
2 34 registration from the secretary, any dealer or commercial  
2 35 breeder and any person who operates a commercial kennel or  
3 1 public auction shall not be subject to further regulation  
3 2 under the provisions of this chapter. However, the department  
3 3 may inspect a commercial kennel or public auction that  
3 4 possesses a current and valid federal license upon a complaint  
3 5 received by the department.

3 6 EXPLANATION

3 7 This bill amends Code chapter 162, which regulates persons  
3 8 involved in keeping pets and other animals, such as a pet  
3 9 shop. The Code chapter also regulates dealers, commercial  
3 10 brokers, commercial breeders, commercial kennels, or public  
3 11 auctions that are licensed by the department of agriculture  
3 12 and land stewardship or exempt from regulation because they  
3 13 are licensed by the federal government.

3 14 The bill amends Code section 162.2 to provide that a pet  
3 15 shop includes an establishment located in this state in which  
3 16 animals are bought, sold, or exchanged, or offered for sale to  
3 17 the general public by accessing the internet.

3 18 The bill amends Code chapter 162.7 applying to dealers and  
3 19 Code section 162.8 applying to commercial breeders to provide  
3 20 that such person cannot engage in breeding or a commercial  
3 21 transaction involving more than 20 or more litters of domestic  
3 22 dogs or cats in any 12-month period or 100 or more domestic  
3 23 dogs or cats in any 12-month period. The restrictions do not  
3 24 apply to an animal shelter or pound.

3 25 The bill amends Code section 162.11, which exempts a  
3 26 dealer, commercial breeder, commercial kennel, or public  
3 27 auction from state regulation under the Code chapter, if they  
3 28 have obtained a federal license. The bill provides that the  
3 29 department may inspect a federally licensed commercial kennel  
3 30 or public auction upon a complaint received by the department.

3 31 LSB 6378XS 82

3 32 da/nh/14